



Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

January 22, 2014

Lindsey Nash
1620 Deerfield Drive
North Liberty, Iowa 52317

Dear Child Care Provider,

I appreciate your working with me to complete the spot check. Here is the website to check out pac'n'plays that have been recalled to ensure you do not have one that is unsafe-<http://www.cpsc.gov/>

Here is the department's site for training information. This site has approved trainings listed.http://www.dhs.iowa.gov/Consumers/Child_Care/Professional_Development.html

When you read this letter it may seem a bit overwhelming. I would suggest you sit down, take a deep breath and remember you have 30 days to get these items into compliance.

This letter is in regards to the January 21, 2014 compliance check of your Category B, Registered Child Development Home. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 110, describes specific requirements that must be met by a Registered Child Development Home. The following areas were out of compliance at the time of my visit:

☐ 110.4 No more children are in care than the rules for the specific category will allow.

Reason determined out of compliance: I observed eight (two part-time) day care children and your 4 year old daughter in care on January 21, 2014. That total of nine children was one over the maximum number allowed as a Category B Registered Child Development Home. I observed that you had five children in care under the age of 24 months which is one over the capacity for children in that age range.

How to correct: You called the parent of one of the children under the age of 24 months and had them pick up their child. You signed a Corrective Action Plan/Safety Agreement that you will not provide care to more than the maximum number of children allowed as a Category B Child Development Home. I have enclosed a worksheet with this information so you can keep track of this to avoid going over numbers again.

☐ 110.5(1) Conditions in the home are safe, sanitary, and free of hazards.

Reason determined out of compliance: You were providing care to more children than you are allowed as a Category B home (five children under 24 months of age) and 9 children (maximum is 8 with two part-time). You had a few other items out of compliance.

How to correct: You signed a Corrective Action Plan/Safety Agreement that you will not provide care to more than the maximum number of children allowed as a Category B Child Development Home. Bring all other items out of compliance by March 7, 2014.

☐ 110.5(1)n Has a minimum of one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway.

Reason determined out of compliance: You need a smoke detector at the top of the basement stairway.

How to correct: Place a smoke detector at the top of the basement stairway.

☐ 110.5(1)n Each smoke detector is tested monthly, and a record is kept for inspection purposes.

Reason determined out of compliance: You did not have documentation and verbally stated you have not tested the smoke detector batteries monthly.

How to correct: Use the form I left with you and make sure you document the dates you do the monthly test of the smoke detector batteries.

☐ 110.5(1)u The provider has written policies about caring for mildly ill children and the exclusion of children due to illness, and informs parents of policies.

Reason determined out of compliance: I reviewed your mildly ill policy and noted it did not have any information about excluding a sick child from the other children in care.

How to correct: Add a language to your policy stating a sick child will be separated from the other children until they are picked up by their parents.

☐ 110.5(2) A provider file is maintained and contains:

☐ 110.5(2)a A physician's signed statement of health and immunization status on the provider and all members of the household who may be present when children are in the home. Statements must be obtained at the time of initial registration and updated every two years.

Reason determined out of compliance: I reviewed your provider file and did not find a physical or immunization status for you or an immunization record for your husband.

How to correct: Use the form I left with you- Child Care Provider Physical Examination Report and have your physician complete this for a physical and immunization status for both you and your husband.

☐ 110.5(8) Children's Files

☐ 110.5(8) An individual file is maintained for each child and updated annually or when there are changes. Each file contains:

☐ 110.5(8)d For infants and preschoolers: An admission physical examination, on the first day of attendance, including past health history, status of present health, allergies and restrictive conditions, and recommendations for continued care when necessary. The date of the exam is not more than 12 months before the child's first day of attendance.

I was not able to determine compliance as I was not sure when children started in your care. All files had physicals in them but I was not sure if you had one form when they entered your child care. Whenever a child starts in your care make sure you get a physical dated within the past 12 months for their file and always retain this in their

file. You should get a health history and make sure the parents give you information about any special conditions or allergies.

☐ 110.5(8)e For infants and preschoolers: A statement of health signed by a physician submitted annually.

Reason determined out of compliance: I did not find this information in the files for L, Har, Ch, Co, Had.

How to correct: Each child's parent needs to provide you with a copy of a physical completed within the past 12 months.

☐ 110.5(8)f A list signed by the parent which names persons authorized to pick up the child, their telephone number, and relationship to the child.

Reason determined out of compliance: For the sheets the parents filled out for Ch and Had they need to add the relationship and phone number for the person's they authorized to pick up their child. In the files for L and E there is nobody listed to pick up their child.

How to correct: Add the required information for Ch and Had, see if the parents can give you one name of a person authorized to pick up their child for L and E.

☐ 110.5(8)g A signed and dated immunization certificate provided by the state department of public health.

Reason determined out of compliance: I did not find this information in the file for L.

How to correct: The parents can get a copy of this child's Dept. Public Health Immunization certificate from their physician.

☐ 110.5(9) The provider meets the following requirements:

☐ 110.5(9)c Gives consistent, dependable care.

Reason determined out of compliance: You were providing care to more children than you are allowed as a Category B home (five children under 24 months of age) and 9 children (maximum is 8 with two part-time).

How to correct: You signed an agreement to stay with the maximum number of children you can provide child care as a Category B home. Do not provide care to more than the maximum number allowed.

☐ 110.9(1) SPECIFIC REQUIREMENTS FOR CHILD DEVELOPMENT HOME CATEGORY "B"

☐ 110.9(1)a Not more than six preschool children present at any one time including infants.

Reason determined out of compliance: I observed you providing care to nine preschool aged children on January 21, 2014. Since two were part-time children you were one over the maximum number of children allowed as a Category B home.

How to correct: Adhere to the agreement you signed and do not provide care to more than 6 full-time preschool aged children (your preschool aged child counts toward this number).

☐ 110.9(1)b Of these six children, not more than four children who are 24 months of age or younger are present at any one time.

Reason determined out of compliance: I observed you providing care to five children aged 24 months of age or younger. You had one of these children go home that day.

How to correct: You called me on January 22, 2014 and gave me the name of the child under 24 months of age that was no longer attending your child care. So you are now in compliance as you have four children in care under the age of 24 months.

☐ 110.9(1)f When more than 8 children are present for more than two hours, a DHS-approved assistant at least 14 years old is present.

Reason determined out of compliance: I observed you providing care to nine preschool aged children on January 21, 2014 and they were present for more than 2 hours and you did not have an assistant present.

How to correct: You can provide care to only 8 preschool aged children at any one time. If you have a ninth child (that ninth child would have to be school aged) for more than 2 hours at a time you must have an assistant present.

☐ 110.9(3)c If the second story or basement are used for childcare, other than the use of a restroom, there is, in addition to one inside stairway, at least one direct exit to the outside.

☐ 110.9(3)c The bottom of the window opening is not more than 44 inches above the floor with permanent steps inside leading up to the window.

Reason determined out of compliance: I observed you have a second exit on the basement with an egress window. You have a ladder in place rather than steps for a child to use to get out of the window into the window well.

How to correct: Below is a clarification we received from our Central Office in Des Moines regarding this requirement for steps. You will need to replace the ladder with steps which cannot be moved around by children. The other option is to not use your basement for child care or change to a Category A which does not have this requirement.

Permanent Steps:

- Permanent steps are steps that cannot be easily moved and that can withstand the weight of several people without toppling over or breaking. They do NOT have to be attached to the facility.
- Steps must not impede quick movement by children and adults.
- **Rungs on a ladder are not permanent steps and are not permitted.**
- The steps must be clearly recognizable AS steps and must be large enough to safely accommodate an average adult foot that is moving quickly.
- **Permanent steps must meet building codes** to avoid being hazardous (441 IAC 110.5(1)) - Conditions in the home shall be safe, sanitary, and free of hazards). When the permanent steps inside a basement leading up to the escape window used as a direct exit are higher than 12 inches and do not have handrails or an enclosure, these steps become a

fall hazard.

You signed a Corrective Action Plan/Safety Agreement that you will not use your basement for child care until you have an approved second exit or change to a Category A level provider. I have enclosed a copy for you. If you decided to put in steps please contact me when this has been completed so I can come and inspect them.

Non-compliance with any of the mandated regulatory requirements listed above may lead to the cancellation or revocation of your Child Development Home Registration. **Please take whatever steps are necessary to completely address each of the violations noted above. It is essential you correct all above-mentioned violations within the next 45 days.**

☐ Based on the items out of compliance listed above, a recheck or follow up visit to your home is not necessary. However, it is essential you provide documentation to the Department that certifies you have corrected each of the identified regulatory violations and are now in complete compliance with all Departmental regulatory mandates. **Please check mark each of the boxes listed above when the necessary corrections have been completed. By doing so, you certify that you have completed all of the mandated regulatory requirements contained within each identified section.**

I certify that I have taken all of the steps necessary to correct each of the identified violations noted above and am now in complete compliance with all of the Departmental mandated regulatory rules.

Please sign and date below, and return this form in the provided envelope by: March 7, 2014.

X _____
Signature Date

Please do not hesitate to contact me at DHS at 319/892-6803 or toll free 1/866-534-3112 if you have any questions regarding this letter.

Sincerely,

Dale Garlinghouse
Social Worker II

Always Remember:

Child Care Resource and Referral is an excellent resource for providers to access training options and support in your area. You can reach Child Care Resource and Referral at 563/324-3236- Tessa Amato.

As you plan your future trainings to meet your 24 hours of training requirement, please remember that you need to use only DHS approved training and only 12 hours can be by self-study. You can access the approved training by going to http://www.dhs.state.ia.us/Consumers/Child_Care/Professional_Development.html and you can sign up for training at <https://ccmis.dhs.state.ia.us/trainingregistry/>

All providers need to maintain compliance with rules set out in Iowa Administrative Code, Chapter 110, which includes: 441 IAC 110.5(1): Check with the appropriate authorities to determine how the following local, state, or federal laws apply to you: • Zoning code • Building code • Fire code • Business license • State and federal income tax • Unemployment insurance • Worker's Compensation • Minimum wage and hour requirements • OSHA • Americans with Disabilities Act (ADA).